

**BARBERING AND COSMETOLOGY EXAMINING BOARD
MINUTES
JUNE 27, 2011**

PRESENT: Janice Boeck, Jeffrey Patterson, Howard Twait

BY PHONE: Susan Kolve-Feehan, Cheryl Pearse

EXCUSED: Rodney Gottfredsen

STAFF: Denise Aviles, Bureau Director; Yolanda McGowan, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DRL Staff

GUESTS: JoAnn Schneider, Empire Education Group; Kelly Lindekugel and Shelly Bergner, Bella Academy; Lauri Thomas, Alexander Thomas Academy of Skin Care; Jan Studesville, Just Nails; Joan Kornitz and Jacqui Farber, WCTC; Marge Wood, WTCS; Barb McCormick, SWTC; Susan Haise, Institute of Beauty and Wellness

CALL TO ORDER

Janice Boeck, Chair, called the meeting to order at 9:49 a.m. A quorum of 5 members was present.

ADOPTION OF AGENDA

Amendments:

- Item E – Presentation of Proposed Stipulations..., number 2 is deleted
- Item H – add CE Waiver Request
- Item K – add Temporary/Event Permit
- Item N - Administrative Warning - 10 BAC 070
- Other Board Business

MOTION: Howard Twait moved, seconded by Susan Kolve-Feehan, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 4, 2011

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to approve the minutes of April 4, 2011 as written. Motion carried unanimously.

BUREAU DIRECTOR MATTERS

Denise Aviles reported there has been a change in the travel policy. Effective June 9, 2011, travel that is funded by third parties will be considered provided there is no cost to the State.

PRESENTATION OF PROPOSED STIPULATIONS

The Board did not require presentations from DOE.

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EDUCATION AND EXAMINATION ISSUES

Appointment of Board Liaison for the Office of Education and Examinations

Aaron Knautz, Exams Specialist, addressed the Board regarding proposals from the exam vendor. The expectation is the exam proposals should be ready for review and discussion at the September Board meeting. Mr. Knautz requested the Board appoint two liaisons to review the content of the proposed exams in the event the proposals are not available for that meeting. New contracts will be effective January 1, 2012.

Susan Kolve-Feehan and Jeffrey Patterson volunteered to be the liaisons to the Office of Education and Examinations.

REGULATION/ENFORCEMENT ISSUES

No report at this time.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

CE Waiver Request

The Board reviewed the CE waiver request. No Board action was taken as the Board determined this is a legislative matter.

SANITATION COMMITTEE REPORT

Jeffrey Patterson report the Sanitation Committee met this morning and discussed hand washing and the use of waterless agents. The sanitation of pedicure basins was also discussed. The Sanitation Committee members are Rodney Gottfredsen, Janice Boeck and Jeffrey Patterson. One more member is needed and Susan Kolve-Feehan was appointed to the Committee.

BARBERING AND COSMETOLOGY CURRICULUM ADVISORY COMMITTEE

There is no report at this time.

PRACTICE ISSUES

Temporary/Event Permit

Legal counsel advised that a statute change would be required to create a temporary or event permit. The Board members may consider eliciting the support of their legislators for a change in statutes.

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PUBLIC COMMENTS

Jan Studesville addressed the Board in support of continuing education. Lauri Thomas addressed the Board with concerns regarding the request for a “retiree” license and the discussion on temporary and event permits.

CONVENE TO CLOSED SESSION

MOTION: Susan Kolve-Feehan moved, seconded by Jeffrey Patterson, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Janice Boeck – yes; Susan Kolve-Feehan– yes; Jeffrey Patterson – yes; Cheryl Pearse – yes; Howard Twait – yes. Motion carried unanimously.

Open Session recessed at 10:53 a.m.

RECONVENE IN OPEN SESSION

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 12:02 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

MONITORING

KERRI ROBERT

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to grant the request for full licensure to Kerri Robert. Motion carried unanimously.

KATHYRN SHORT

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to grant the stay of suspension to Kathryn Short and to approve a payment plan of equal monthly installments for one year. Any missed payments will result in immediate suspension until the costs are paid in full. Motion carried unanimously.

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CORNELL STALLWORTH

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to grant the stay of suspension to Cornell Stallworth and to approve a payment plan of equal monthly installments for one year. Any missed payments will result in immediate suspension until the costs are paid in full. Motion carried unanimously.

ANTONIO GARNER

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to grant the stay of suspension to Antonio Garner and to approve a payment plan of equal monthly installments for six months if the amount owed is less than \$1000.00 and for one year if the amount owed is \$1000.00 or greater. Any missed payments will result in immediate suspension until the costs are paid in full. Motion carried unanimously.

CASE CLOSINGS

MOTION: Howard Twait moved, seconded by Cheryl Pearse, to approve case closings for the following as recommended by the Division of Enforcement:

- 1) 10 BAC 035
- 2) 10 BAC 094
- 3) 10 BAC 111
- 4) 09 BAC 041
- 5) 10 BAC 061 N.H. & T.
- 6) 10 BAC 107
- 7) 10 BAC 108
- 8) 10 BAC 129
- 9) 10 BAC 135
- 10) 11 BAC 007
- 11) 11 BAC 033
- 12) 11 BAC 042
- 13) 10 BAC 018
- 14) 11 BAC 016
- 15) 11 BAC 028
- 16) 11 BAC 044
- 17) 11 BAC 045
- 18) 08 BAC 162
- 19) 09 BAC 011
- 20) 10 BAC 067
- 21) 10 BAC 081

Motion carried unanimously.

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CITATIONS

MOTION: Jeffrey Patterson moved, seconded by Cheryl Pearse, to issue citations for the following cases as recommended by the Division of Enforcement:

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| 1) 09 BAC 081 | 9) 10 BAC 122 (2 citations) |
| 2) 10 BAC 112 | 10) 10 BAC 130 |
| 3) 10 BAC 046 (3 citations) | 11) 11 BAC 001 |
| 4) 10 BAC 049 | 12) 11 BAC 013 |
| 5) 10 BAC 051 (3 citations) | 13) 11 BAC 021 |
| 6) 10 BAC 075 (2 citations) | 14) 11 BAC 023 |
| 7) 10 BAC 098 | 15) 11 BAC 025 (2 citations) |
| 8) 10 BAC 116 | 16) 11 BAC 030 (6 citations) |

Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Susan Kolve-Feehan moved, seconded by Jeffrey Patterson, to adopt the Findings of Fact, Conclusions on Law, Final Decisions and Orders in the disciplinary proceedings against:

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| 1) | 07 BAC 141 | Sara J. Bukachek |
| 2) | 10 BAC 002 | Julie A. Hall and Mane Attractions |
| 3) | 09 BAC 123 | Tracey Nass and Indira Salon Spa |
| 4) | 10 BAC 002 | Shannyn M. Russell |
| 5) | 09 BAC 121 | D'Pelos Barber Shop and Gerardo Hernandez) |
| 6) | 09 BAC 011 | Great Clips (Fort Atkinson, Waukesha, Brookfield. Oconomowoc, Watertown) |
| 7) | 09 BAC 044 | Shannon K. Lund |
| 8) | 09 BAC 044 | Nicole Moser and Co Leigh Co LLC |
| 9) | 09 BAC 121 | Concepcion Paez and Loco Looks Hair Studio |
| 10) | 10 BAC 014 | Kavin R. Grays and Unique Cuts |

Motion carried unanimously.

PROPOSED DECISION AND ORDER

**ROBIN SUE VANTIL
10 BAC 061**

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to adopt the Proposed Decision and Order in the disciplinary proceedings against Robin Sue Vantil. Motion carried unanimously.

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ADMINISTRATIVE WARNINGS

MOTION: Susan Kolve-Feehan moved, seconded by Howard Twait, to issue administrative warnings in cases **09 BAC 119, 10 BAC 118, 11 BAC 009** and **10 BAC 070**. Motion carried unanimously.

LATE ADDITIONS TO THE AGENDA

The Board addressed its position respective to acceptance of late agenda additions.

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to reaffirm the Board's position to not accept Division of Enforcement late additions to the agenda unless they are matters of potential immediate harm such as license surrenders, suspensions, revocations or impairments. Motion carried unanimously.

SECRETARY MATTERS

John Murray, Executive Assistant, addressed the Board. The Department is working with the Legislative Reference Bureau on a bill draft creating separate barbering license. The recent article from the *Wisconsin State Journal* was reviewed. Board members were reminded that if they are contacted by the media regarding Board issues, they should not comment and should refer all media contacts to the Department.

ADJOURNMENT

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:02 p.m.